IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

(1) S.B. CIVIL WRIT PETITION NO. 6322/1994

NANAG RAM SHARMA
Vs.
THE RAJASTHAN STATE AGRO INDUSTRIES CORPN. LTD.

&

(2) S.B. CIVIL WRIT PETITION NO. 6323/1994

RAJENDRA PRASHAD
Vs.
THE RAJASTHAN STATE AGRO INDUSTRIES CORPN. LTD.

DATE: 20.07.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. R.C. Joshi for the petitioners.
Mr. Virendra Lodha for the respondents.

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Since both the writ petitions involve similar question of law, therefore, they are being decided by this common order.

The facts of the case of *Nanag Ram Sharma* are taken as leading case. In this writ petition, the impugned order dated 28.07.83 has been challenged by the petitioner on the solitary ground that the impugned order dated 28.07.83 has been passed without affording opportunity of being heard to the petitioner. To this effect the petitioner has placed on record the judgment

dated 23.03.93 (Annexure-10) passed by this Court in *S.B. Civil Writ Petition No. 1888/83- B.S. Rathore Vs. State of Rajasthan & Ors.,* wherein this Court after setting aside the impugned order, given liberty to the respondents to initiate fresh proceedings of reduction in pay after following the bare minimum principle of natural justice.

Having gone through the ratio decided by this Court in the aforementioned case of *B.S. Rathore (supra),* I am fully convinced with the submissions made on behalf of the petitioners as it is not disputed that the impugned order dated 28.07.83 has been passed without affording opportunity of being heard to the petitioner.

Consequently, both the writ petitions stand allowed. The impugned orders dated 28.07.83 and 25.07.83 are hereby quashed and set-aside with liberty to the respondents that if they wish to initiate fresh proceedings, they may initiate the same after following the due process of law and after giving opportunity of being heard to the petitioners following the bare minimum principle of natural justice.

(K.S. RATHORE),J.

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